



State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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August 27, 1997

Brad T. Barber
State Planning Coordinator/Utah State Clearinghouse
Resource Development Coordinating Committee
116 State Capitol Building
Salt Lake City, Utah 84114

Re: Review Comments July 25, 1997 Letter, Western Clay Company, Hebe Gypsum Mine (aka Lone Tree Wedge Gypsum Mine UTU-73779), M/015/072, Emery County, Utah

Dear Mr. Barber:

This letter is in response to your letter of July 25, 1997, providing comments on the large mine operation proposed by Western Clay Company. After receiving your letter, we contacted Western Clay Company and the BLM San Rafael Resource Area to discuss your concerns. A response to each of the concerns raised in your letter is included below. The response is formatted using the same headings in your letter with pertinent portions of your comments shown in italicized print.

Division of State History

No historic properties have been recorded within the project area because no historic properties' surveys have been conducted.

Response: The BLM Price River/San Rafael Resource Area prepared an Environmental Assessment (EA) for this proposal. EA Number UT-066-97-8 included cultural and paleontology reviews of the proposed project area. Page two of the EA states "The following mandatory items have been considered for this environmental assessment and will not be impacted: threatened and endangered animals, areas of critical environmental concern, cultural or historic resources, floodplains and wetlands, water resources, air quality, paleontological resources, prime or unique farmlands, wild and scenic rivers, native American religious concerns, and hazardous/solid wastes." No significant impacts to cultural or historic resources due to this proposed operation were identified in this EA. BLM stipulation number one for this action requires suspension of operations if any cultural and/or paleontological resource (historic or prehistoric site or object) is discovered in the course of operations.

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Division of Wildlife Resources

An initial and yearly survey needs to be conducted within a 1/2 mile radius of proposed mine expansion for nesting ferruginous hawks. Ferruginous hawk nests are found on the ground, hillsides, or in large live or dead trees. No mining should be allowed within 1/2 mile of nesting ferruginous hawk's nests between 15 April to 5 July when the young fledge.

Response: The BLM Price River/San Rafael Resource Area prepared an Environmental Assessment (EA) for this proposal. EA Number UT-066-97-8 included a review of impacts to wildlife from the proposed project. Page two of the EA states "The following mandatory items have been considered for this environmental assessment and will not be impacted: threatened and endangered animals, areas of critical environmental concern, cultural or historic resources, floodplains and wetlands, water resources, air quality, paleontological resources, prime or unique farmlands, wild and scenic rivers, native American religious concerns, and hazardous/solid wastes." No impacts to ferruginous hawks or their nesting sites were identified in this EA. This operation is currently operating as a small mine and has been in operation at this site since March 1996.

Desert bighorn sheep can be expected to use the cliffs on the southeast and east side of the proposed mine area near Hebes Mountain. Rams can be expected to migrate in and out of the mine. If bighorn sheep are observed within 1/2 mile of the mine, then we request that no blasting be allowed between 10 May and 10 July of the year to help avoid conflicts with bighorn sheep lambing.

Response: The BLM Price River/San Rafael Resource Area prepared an Environmental Assessment (EA) for this proposal. EA Number UT-066-97-8 included a review of impacts to wildlife for the proposed project area. Page two of the EA states "The following mandatory items have been considered for this environmental assessment and will not be impacted: threatened and endangered animals, areas of critical environmental concern, cultural or historic resources, floodplains and wetlands, water resources, air quality, paleontological resources, prime or unique farmlands, wild and scenic rivers, native American religious concerns, and hazardous/solid wastes." No significant impacts to desert bighorn were identified in this EA. The current mining activities are located within the NE/4 of section 15, T 24S, R7E, SLBM. The proposed expansion is in an east to northeast direction which is away from Hebes Mountain.

Realizing that the area has low precipitation, we would still like to see a dryland alfalfa, Ladak or Nomad, added to the reclamation seed mix.

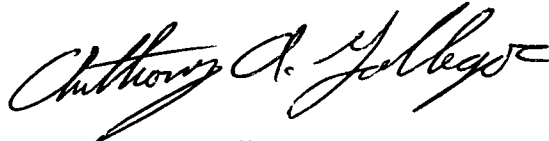
Response: These lands are managed by the BLM. The BLM management plan does not allow the use of introduced species in revegetation seed mixes. Division staff have contacted the Great

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Basin Research Station regarding the precipitation requirements of the recommended species and the precipitation of the project area is below the amount needed by this species.

We believe we have addressed all of the comments raised in your letter and believe there are no significant reasons to deny or rescind the Division's tentative approval of the proposed large mine operation. If you or the reviewers have any further comments or concerns please contact me by phone at (801) 538-5267. In addition, you may contact Neil Simmons of the BLM San Rafael Resource Area at (801) 636-3639, or Neal Mortensen of Western Clay Company at (801) 529-3281. Thank you for your time and efforts in reviewing this proposal.

Sincerely,



Anthony A. Gallegos
Senior Reclamation Specialist

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cc: Neal Mortensen, Western Clay Company
Jim Dykmann, State History (Case No. 97-0934)
Ben Morris, Division of Wildlife Resources - Price
Neil Simmons, BLM San Rafael RA

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